



**MINUTES
CITY COUNCIL MEETING
January 24, 2023**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Present: Mayor: Charlie Miner; Council: Deirdre Kvale, Mike Feldmann, Jahn Dyvik, and Gina Joyce

Staff Present: City Administrator: Scott Weske; City Attorney: John Thames; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner offered the following comments and updates:

The City Council participated in both EDA and work session meetings prior to the regular Council meeting.

Mayor Miner suggested that people mark their calendars for February 4, 2023 when the Orono Lions Club will be hosting their Snowball Open event.

APPROVE AGENDA

A motion was made by Joyce, seconded by Dyvik, to approve the agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of January 3, 2023 City Council Work Session Meeting
- B. Approve Minutes of January 3, 2023 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Reappoint and Appoint Candidates to Long Lake Fire Department Officer and Coordinator Positions
- E. Adopt Resolution No. 2023-03 Appointing Resident Tim Hultmann to the position of Economic Development Authority member serving a term effective January 2023 through December 31, 2024
- F. Adopt Resolution No. 2023-05, A Resolution Authorizing the Sale of Certain Real Property
- G. Receive 4th Quarter Revenues and Expenditures as of December 31, 2022, as presented
- H. Adopt Resolution No. 2023-06, Authorizing Final Payment of Pay Request #3 to GMH Asphalt Corporation in the Amount of \$51,003.82 for the 2022 Pavement Improvement Project
- I. Approve Third Amendment to Purchase Agreement with the Barbara A. Hendrickson Revocable Trust dated May 4, 2017 and Authorize the Mayor and Administrator to Execute the Same

Council member Kvale confirmed with Public Works Director Diercks that there was a bit of a retainer held back from GMH Asphalt, in case it would be needed for completion of some finish work items.

*A motion was made by Miner, seconded by Joyce, to approve the Consent Agenda as presented.
Ayes: all.*

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Direction to Staff on Communication Regarding the Fire Department

Mayor Miner reported that the Council had just finished a work session at which they had discussed the ongoing Fire Department situation. He explained that they gave direction to staff to prepare a letter that will be sent to the City of Orono with two options for them to consider regarding the future of their relationship with Orono with respect to fire services. He added that he expects the letter to be completed and sent off in time for Orono's next City Council meeting.

Council member Dyvik mentioned that there were a few changes that the Council had wanted to make to the letter that had been drafted for review in the work session. He advised that the Council would share a presentation at their next meeting to summarize the content of the letter at that time for residents, and the next Long Lake Council meeting will occur prior to Orono's next City Council meeting.

Review and Update of City Goals

City Clerk Moeller reviewed some of the items from the City Goals List that had been accomplished or were near completion, including: implementation of 2022 elections; zoning ordinance updates for the I-1 and I-2 Districts; removal of split rail fencing in Nelson Lakeside Park; renaming of the Carp Management Fund; regular communication with Lifestyle Communities on The Borough and Zvago redevelopment projects; completion of the sale of a portion of the property behind the Public Works building; purchase and installation of 'stop for pedestrians' vertical signage; and adoption of a new solid waste chapter updating City Code. She discussed a number of suggestions of proposed updates and new goals for inclusion in the City Goals List.

Council member Kvale pointed out that there appear to be a number of purchases included in the goals.

Moeller confirmed that they are the same items that have been on the list for a few years.

Mayor Miner commented that he would like to add installation of speed notification signage in a few locations throughout the City. He reflected that overall he felt that staff did a good job in including goals based on various conversations that the Council has been having.

Moeller noted that she had gotten a quote for implementation of a website update, however the quote was much higher than expected. She explained that her thought was that if the quote was going to be that high, it may make sense to get quotes from other companies and start over. A website update is a goal that has already been included in the ongoing goals list.

Mayor Miner voiced his support for that idea, reflecting that it has been a number of years since the site design has been updated.

Consider Authorizing Staff to Administratively Approve Changes to the February 4, 2023 Snowball Open Event Permit Plan

Moeller indicated that she wanted to applaud Roger Adams and the Orono Lions Club for thinking proactively about the Snowball Open event. She explained that weather conditions have presented a bit of a challenge for ice formation, and Mr. Adams had approached her about the possibility for a 'Plan B' to host the event if ice conditions do not support safely holding the event as originally planned. The proposed backup plan would be to set up a course in Nelson Lakeside Park. Moeller stated that she was seeking approval from Council authorizing staff to administratively approve changes for the event permit, if needed, based on the weather conditions.

Roger Adams, 1130 Underhill Circle, shared that the Snowball Open is the Orono Lions Club's number one fundraiser. He reported that he was out on the ice a few weeks ago, had gotten his four-wheeler stuck in slush, and was almost not able to get off the lake. He had also visited the lake earlier in the day and found areas where the ice is solid and deep, and others where it was only a few inches thick. Given the forecasted cold temperatures, the Orono Lions are cautiously optimistic that the water will freeze sufficiently and they'll be able to hold the event as planned. If it does not occur though, they wanted to make sure they had a 'Plan B' available as an option.

Moeller added that there would not be any option at this point for a liquor license and clarified that the park policy is that there is no alcohol consumption on park property.

Mr. Adams mentioned that the Lions have never sold or provided any alcoholic beverages at the Snowball Open, but noted that participants often bring their own. If using park property, his proposal would be to post a very large banner at registration which would clearly state that consumption of alcoholic beverages in the park is prohibited.

Council member Kvale asked if it is possible to put a pause on the City's ordinance for a specific event.

Council member Joyce stated that she believed that had been done for Buckhorn Days.

Mr. Adams replied that there is a liquor license associated with the Buckhorn Days permit.

Moeller explained that there is not a liquor license associated with the Snowball Open event, but Birch's is able to serve in their restaurant, and others who are drinking have been out on the lake.

Council member Kvale questioned if her understanding was correct that people can drink on the lake, but once they are on the park property, they are subject to the City ordinance that does not allow liquor consumption.

Moeller responded that this was essentially the case and clarified that vendors/hole sponsors cannot serve liquor on park property without a license. She commented she feels there may be ways that staff can administratively work through this issue and have those sponsors located on the ice.

Mayor Miner was in favor of Mr. Adams' idea of a sign at registration as well.

Council member Joyce inquired whether the Orono Lions Club could just pull a liquor license for this event.

Moeller replied that the event date is too close now, as the state requires 30 days to process the temporary license. That license would have permitted the Orono Lions Club only to sell liquor – sponsors are not eligible for licensing.

Council member Dyvik asked if there would be a possibility to set up on the ice near Nelson Lakeside Park if the ice was better in that location.

Mr. Adams confirmed that may be possible.

Moeller commented that some of their backup plans are for a worst case scenario when there is no safe ice. Staff is willing to work with the Orono Lions Club in their planning, and there could be a combination of some holes in the park and some on the ice; however, staff is seeking authorization from the Council to make changes to the event plan if they are needed.

Mr. Adams advised that a final decision on the ice conditions and the event plan will need to be made by February 1, 2023.

A motion was made by Feldmann, seconded by Joyce, to authorize staff to administratively make changes to the Snowball Open event permit, as needed. Ayes: all.

Updates and Discussion Regarding Fire Department Matters

Mayor Miner reported that other than the comments related to the Fire Department discussed earlier in the meeting, there are not many updates since the last meeting for broader Fire Department issues. There is a Future Fire Services group meeting scheduled for March 1, 2023. Additionally, there's movement in the selection process for a new Fire Chief for the Long Lake Fire Department, and a number of candidate interviews were held the previous week. Staff is working on selection of finalists for further consideration.

Council member Kvale shared that she and Council member Dyvik had reached out to Mound to discuss what their concerns were with regard to fire services.

Mayor Miner confirmed that he would be participating in a meeting with Wayzata in a few weeks to discuss the situation as well.

Council member Kvale asked if anyone had met with Minnetonka Beach or any other cities.

Council member Dyvik noted that they had met with Medina.

Council member Kvale volunteered to officially reach out to Minnetonka Beach and report back to the Council.

Council member Dyvik commented that once Hamel and Loretto complete their merger, it may be a good idea for the City to have a discussion with them as well. He added that he felt the meeting that he and Council member Kvale had with representatives from Mound was a good one, and stated that he thinks the City should continue to have open discussions like this with their neighbors.

Council member Kvale indicated that she thinks having these types of informal one on one meetings is a good idea and suggested that the Council keep other cities in mind to meet with in the future, such as Maple Plain.

Council member Dyvik recalled that the Orono Council held a meeting on January 9, 2023 that he'd watched and they made some comments about the Fire Department that he would like to address. There were some residents questioning why Orono had purchased the ladder truck and their response was that it could serve as a back up engine, which is true, but then they made a statement that there is currently no back up engine, which he feels is inaccurate. There are three engines currently that are all operational. Orono also made a statement that they offered to 'loan' the ladder truck to the Long Lake Fire Department, which he did not believe had occurred. There was a

statement that has been repeated a few times that Wayzata wanted the Long Lake Fire Department to pay \$700,000 for 10 years to put towards Wayzata's new ladder truck. He believes this was a statement made by the Wayzata Fire Chief at one of the Future Fire Services group meetings, but it has been used to justify the fact that Orono went out and bought a ladder truck. It has been expressed that they identified a need, evaluated it, and then went out and bought it; but clarified that in reality, it was the Long Lake Fire Advisory Board that identified the need, found and evaluated the truck, and it should have been purchased under the contract. He shared a quote from the Orono meeting that said if they still had a relationship with Long Lake and were buying equipment, they would be paying 85% of the purchase regardless. He explained that this statement says, to him, that 'if we still had a relationship' means that there are three years left on the contract and there is a CIP responsibility; but it is apparent that Orono is not planning to abide by the contract to purchase any more capital equipment.

City Administrator Weske mentioned that Orono has also made multiple comments about owning 100% of equipment items, which is also not factual.

Council member Dyvik agreed and observed that Orono representatives have almost made it sound as if it were routine that they bought 100% of the equipment, and that has not been the pattern. Orono also communicated they were paying a majority of the bill, but were only now just getting their first look at the financials. He felt their intent with that statement was that they have not been participating in or been able to see how the Fire Department had been operating. The fact is that Medina, Long Lake, and Orono are all on the Fire Advisory Board. The cities all have equal say and take part in reviewing all operational and capital equipment budgets, which are then approved by the cities. He emphasized that Orono has a lot of control and insight into how the Long Lake Fire Department operates.

Council member Kvale mentioned that they also have veto power.

Council member Dyvik agreed and pointed out that Orono actually has more power because they have a larger percentage of say under the contract than the other two cities.

Mayor Miner commented that Orono has had two Council members on the Fire Advisory Board for many years, but noted that they have not always had the best record of attendance. He stated that he felt former Fire Chief Van Eyll did a great job running those meetings and communicating what was going on operationally with the Fire Department.

Council member Dyvik shared that he just wanted to ensure that there was accurate information out in the public.

Mayor Miner voiced that he was very proud of the work Long Lake has done in order to try to keep this entire issue transparent to the residents. He noted that the City's website, even if it looks outdated, has a lot of great information available and encouraged residents to take a look. He asked if there was anyone in the audience who would like to speak to this topic.

Bryan Miller, 295 Lakeview Avenue, indicated that he agreed with Council member Dyvik that there was a lot of misinformation coming out of the Orono City Council meetings. He thanked Council member Dyvik for keeping the City of Long Lake up to speed on the facts and figures and noted that as mentioned by Mayor Miner, all the facts are available on the City's website. He shared that he had overheard Orono Council member Johnson saying to a resident that the City of Long Lake cannot afford to go out on their own, which he found to be an insult and was once again 'misinformation' being spread by Orono. He expressed frustration with how Orono seems to dance around and never really answer questions that are posed by residents.

OTHER BUSINESS

State of the City Address - Mayor Miner reported that he had recorded a 2023 State of the City Address with the Lake Minnetonka Communications Commission (LMCC) the previous day and suggested that people keep their eyes open for it to air. He expressed his appreciation for LMCC and the work they do for the area cities.

State Surplus, Grand Avenue Request – With regard to the Legislature and the State budget surplus that is available, Mayor Miner has been working with Representative Meyers and his staff to request inclusion of funding for the City as part of the bonding bill related to the reconstruction of Grand Avenue.

Wayzata Boulevard W Sidewalk - Council member Joyce asked if it was common practice for Public Works to salt or sand the sidewalk along Wayzata Boulevard W. Public Works Director Diercks replied that the City does not salt or sand sidewalks or walking trails because they do not have the resources to do so.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:48 pm.

Respectfully submitted,

Scott Weske
City Administrator